

Town of Holly Springs
PLANNING BOARD MEETING MINUTES
Tuesday, February 22, 2022 - 7:00 p.m.

Agenda Item #1, 2 & 3:

The Planning Board of the Town of Holly Springs met virtually for their regularly scheduled meeting on February 22, 2022. At 7:00 after determining a quorum was present, Chair Rybak called the meeting to order.

Staff Members Present: Chris Hills, Development Services Director
Elizabeth Goodson, Land Development Division Manager
Sean Ryan, Planning Manager
Cheryl Caines, Senior Planner
Bronwyn Bishop, Planner II
Brett Gosney, Planner I/Planning Board Clerk
Rachel Jones, Development Review Engineer
Steidrick Baker, Development Reviewer
Connie Zurek, Development Technician

The Board completed roll call.

Members Present: Dana Rybak, Chair
Chris Deshazor, Vice-Chair
Ernie Carpico
Van Crandall
Joanna Holder
Rick Madoni
Courtney Patterson
Thomas Urquhart

Members Absent: Vacant

The Board recited the pledge of Allegiance and the meeting opened with an invocation by Chris Deshazor

Agenda Item #4: Agenda Adjustment

There was no agenda adjustment.

Agenda Item #5: Minutes

a. January 25, 2022 Minutes

Motion:
Motion to approve the January 25, 2022 Minutes.

Motion by: Ernie Carpico
Second by: Rick Madoni

Action: The Planning Board voted in favor of the Motion. (7-0)
Van Crandall did not vote due to technical difficulties.

Agenda Item #6: Town Council Representative

Planning Board Representation for Town Council

- a. Joint Public Hearing: None
- b. March 1st – Joanna Holder
- c. March 15th – Chris Deshazor

Agenda Item #7: Public Comment Period

Comments from the public regarding Zoning Reassignment (22-REZ-01) were included in the staff report for Item #10a as follows:

Public Comment Summary:

The public comments that have been received on the zoning reassignment can be categorized as follows:

1. General question/inquiry – property owner has contacted staff requesting general information on the project or the proposed reassignment for their property.
2. Concern about how a property was reassigned to a new district but has not specifically requested an alternative zoning district.
3. Concern about how a property was reassigned to a new district and has specifically requested an alternative zoning district or has identified a nonconformity. Seven individuals/groups have been identified in this category.

Agenda Item #8: Special Exception Uses

- a. 117 E Maple St (PLSEU202100105/21-SEU-04)

Ms. Caines reviewed the staff report with the Board.

The Town has received a request to allow for a Special Exception Use as specified in Unified Development Ordinance Section 2.04 R-10 Residential District to allow for one (1) single family dwelling within the adopted Village District Area Plan boundary at the property located at 117 E Maple Ave, Wake County PIN 0648999313.

In December of 2015, the Town Council adopted an amendment to the Unified Development Ordinance (UDO) regarding future land uses and appropriate residential densities in the Town's Village District. Many of the residential lots within the Village District were platted in the early 1900's and do not meet the lot standards required by the UDO. New single-family homes in the R-10 residential zoning district are required to obtain approval through the Special Exception Use process so that the development of that parcel can be evaluated through the Special Exception Use findings of fact to ensure that it is appropriate for the neighborhood.

The applicant is requesting Special Exception Use approval for one single-family dwelling located at 117 E Maple Avenue. Since the parcel is zoned R-10 Residential and is located within the boundaries of the Village District Area Plan, a Special Exception Use is required to evaluate the appropriateness of a single-family home in this location.

Rachel Jones provided an update on utilities and infrastructure.

Chair Rybak invited the applicant to speak.

Jason Brown
5804 Cleome Ct
Holly Springs, NC 27540

Mr. Brown stated that they would like to build a single-family home on this corner like they have with previous projects within town.

Mr. Madoni asked about it being a one-story house.

Mr. Brown stated it is for someone who cannot use stairs.

Mrs. Holder asked staff about the purpose of the setback with safety concerns.

Mrs. Caines stated that with the setback it would still be adequate to provide a sidewalk as well as would not interfere with the sight triangle of the intersection. The applicant also decided to use smaller street trees to avoid any type of future interference.

Motion:

Motion to recommend that the Town Council approve Special Exception Use #21-SEU-04 as specified in Unified Development Ordinance Section 2.04 R-10 Residential District to allow for (1) single family dwelling within the adopted Village District Area Plan boundary as indicated in the Comprehensive Plan, in the R-10 District at the property located at 117 E Maple Avenue, Wake County PIN 0648999313, as submitted by Thompson & Associates with the following conditions:

1. All operations must adhere to the evidence submitted by the applicant as stated in the findings of fact submitted and those findings of fact specified by the Town Council in conjunction with 21-SEU-04.
2. Minor modifications to the height, bulk, orientation of the structure on the lot, location of the structure on the lot, and site design may be authorized by the Director of Development Services. If the Director determines that the proposed minor modifications are of such a nature as to adversely impact the purpose or intent of this approval, the petitioner shall be required to file a new petition for Special Exception Use approval.
3. This project will be required to meet the Town of Holly Springs NPDES PH. 2 Post Construction Ordinance.

Motion by: Rick Madoni

Second by: Thomas Urquhart

Action: The Planning Board voted in favor of the Motion. (8-0)

b. 301 Earp St (PLSEU202100106/21-SEU-05)

Ms. Bishop reviewed the staff report with the Board.

The Town has received a request to allow for a Special Exception Use as specified in Unified Development Ordinance Section 2.03 R-15 Residential District to allow for one (1) single family dwelling within the adopted Village District Area Plan boundary at the property located at 301 Earp Street, Wake County PIN 0659023745.

Chair Rybak invited the applicant to speak.

Jason Brown
5804 Cleome Ct.
Holly Springs, NC 27540

Mr. Brown stated that they will be looking to build a single-family home that would similar to what has been previously built.

The Board did not have any questions for the applicant.

Motion:

Motion to recommend that the Town Council approve Special Exception Use #21-SEU-05 as specified in Unified Development Ordinance Section 2.03 R-15 Residential District to allow for (1) single family dwelling within the adopted Village District Area Plan boundary as indicated in the Comprehensive Plan, in the R-15 District at the property located at 301 Earp Street, Wake County PIN 0659023745, as submitted by Thompson & Associates with the following conditions:

1. All operations must adhere to the evidence submitted by the applicant as stated in the findings of fact submitted and those findings of fact specified by the Town Council in conjunction with 21-SEU-05/PLSEU202100106.
2. Minor modifications to the height, bulk, orientation of the structure of the lot, location of the structure on the lot, and site design may be authorized by the Director of Development Services. If the Director determines that the proposed minor modifications are of such a nature as to adversely impact the purpose of intent of this approval, the petitioner shall be required to file a new petition for Special Exception Use approval.
3. This project will be required to meet the Town of Holly Springs NPDES PH. 2 Post Construction Ordinance.

Motion by: Chris Deshazor

Second by: Van Crandall

Action: The Planning Board voted in favor of the Motion. (8-0)

Agenda Item #9: Special Exception Uses

a. *Thales Academy (17-DP-04-A01/PLDP202100048/21SEU02)*

Ms. Caines reviewed the staff report with the Board.

The Town has received a request to allow for a Special Exception Use as specified in Unified Development Ordinance Section 2.01 A.1.c to allow for a school use in the R-10 Residential zoning district at the properties located at 11244 Holly Springs New Hill Road, Wake County PIN 0649265028.

The Town also received a Request to allow for a Alternate Compliance off UDO Section 3.08, A.1.c Primary Façade Building to allow waivers for variations in massing, animating features, and roof treatment in association with Development Petition #17-DP-02-A02 as listed here:

- Variation in Massing:
Exceed the 30 feet maximum bay width on west façade of the school building
- Animating Features:
Less glazing than required on the east façade of the gymnasium building

- Roof Treatment:
Allow different materials to be used on the back side of a parapet wall that is visible

Rachel Jones provided an update on utilities and infrastructure.

Mr. Crandall asked about the intersection of Holly Springs New Hill Rd. and if there was consideration about a roundabout here.

Mr. Jones stated the intersection was preferred to stay a traditional intersection because of the size of roadways that are proposed to be at this intersection.

Mr. Crandall stated that a roundabout may just make sense here because of the right in right out before the intersection at the shopping center.

Mr. Ryan stated that a roundabout would not be plausible because of the amount of traffic at the intersection and a roundabout would fail here because of the volume of traffic.

Mrs. Patterson asked about the timeframe of the intersection improvements.

Mrs. Jones stated they have collected fees in lieu from several projects already and what they are expecting to collect from developments is enough to cover about half of the improvements but they are still looking to partner with the development community to gain the full funding.

Mrs. Patterson asked what happens if the full funding is not obtained because she feels with all of the construction this intersection needs to be a priority. Mrs. Patterson also wondered how long the Town would wait for funding before they would move towards improvements.

Mrs. Jones stated she does not know exact timing but later in the agenda the applicant will be able to speak further on this.

Mr. Crandall asked with this being a hotspot in Holly Springs there would not be enough traffic volume to support a roundabout?

Mr. Ryan stated that it is the opposite because it is a four-legged intersection there would be too high of a volume of traffic for a roundabout.

Chair Rybak invited the applicant to speak.

Laura Goode
301 Fayetteville St.
Raleigh, NC 27604

Mrs. Goode provide an update on all of the findings of fact for the property. Mrs. Good provided an update on the hours of operation with the staggering bell schedule and a much lower volume after school program. The school will not have any night or weekend activities as well as do not have any outdoor fields. Mrs. Goode s=provided an update on how the school would be harmonious with the surrounding area. Mrs. Goode provided a detailed site plan showing the landscaping and tree preservation that would be maintained with development. There will be three points of access for emergency services and will provide connections to the existing sidewalks. Thales has enforcement programs to help alleviate the queuing of vehicles as well as requires the parents or guardians of students to sign a form stating they will not cause traffic programs from queuing. Mrs. Goode provided insight into how the use would be consistent with the zone and development standards except for two waivers for a higher building height and lessen the window requirement for the second floor. Mrs. Goode discussed the fee in lieu that would not be required for schools towards off site improvements and any improvements that would be required would have to be reimbursed by the city.

Mr. Urquhart asked about the completion of the Old Apex Rd. extension and realignment.

Mrs. Jones stated that the extension would be in a several years because the design has not been completed but the realignment would be sooner.

Mrs. Holder asked about the HVAC and the noise that would be created with these.

Mrs. Goode stated the HVAC is mounted on the roof and there are compressors that would minimize noise although no study has been completed.

Mr. Madoni asked about the road access in between the two buildings.

Mrs. Goode stated that the connection to the east would be primarily for emergency services and there would be collapsible bollards. They do not want the access because of safety reason and due to the strict queuing processes, that could be disrupted.

Mr. Madoni asked about High Schoolers having parking spots at the school and if they would be able to park on campus.

Mrs. Goode stated that there will be designated spots for high schooler that are able to drive and they will be told they will not be able to be on campus until 15 minutes before the bell.

Mr. Madoni stated that other schools in the area have trouble with having enough parking for students and they would not want the students parking in neighboring areas.

Mrs. Goode stated there is 41 spaces for students and all of the parking requirements are met.

Mr. Deshazor stated his concern about the traffic in the area and concern about the roadway possible not being completed for two years. He is not able to support it currently because of these concerns.

Mrs. Patterson stated that she shares the same concern and struggles to support the project with no plan to minimize the traffic problem at this time.

Mrs. Goode spoke to the timing of the construction and the new expansion is to open on 2023 with full capacity to be in 2026 so it would allow for the roadway improvements to catch up. Mrs. Goode spoke about the queuing plans and how it would help to alleviate traffic on the road.

Mrs. Helbert spoke about the increase of the students and how the staggered bell schedule would help to alleviate the traffic.

Mrs. Rybak asked about the number of parents that would have multiple students in both schools.

Mrs. Landoll stated they can work with the families to allow for both students to be picked up at the same time.

Mrs. Goode stated that about 10% of the students walk to school as well.

Mr. Deshazor stated he appreciates the thoroughness of the presentation but his concern is not with the school's traffic but with the traffic of the entire street.

Mrs. Patterson stated she appreciates the presentation but she is still concerned with the roadway improvements and not knowing the timing of the completeness of the roadway improvements.

The Board shares a concern about the roadway improvements of the area.

Motions:

ACTION #1: SPECIAL EXCEPTION USE

ACTION #2: WAIVER OF REGULATIONS OF UDO

Motion that the Planning Board recommends the Town Council approve the following Waiver for Thales Academy Expansion, as submitted by Withers Ravenel, Project Number: 09210285, dated 10/29/21:

1. Request to allow for Alternate Compliance with Architectural and Site Design Standards of UDO Section 3.08, A 1. c. Building Massing, Animating Features, and Roof Treatment.

Motion by: Ernie Carpico

Second by: Thomas Urquhart

Action: The Planning Board voted in favor of the Motion. (8-0)

ACTION #2: DEVELOPMENT PETITION REQUEST

Motion that the Planning Board recommends the Town Council approve Development Plan / Preliminary Plan #17-DP-02-A02 for Thales Academy Expansion as submitted by Withers Ravenel, Project Number 09210285, dated Revised 10/29/21 with the following conditions:

1. All previous conditions of approval for Thales Academy Development Plan apply to this plan except for any condition that describes a fee or a fee-in-lieu to be paid shall now comply with the current amounts due pursuant to the Town's current annual budget or any unexpired development agreement.
2. A UDO Permit must be submitted and approved for Sign Installation for permanent signage.
3. Invoiced fees from Special Study third party review must be paid prior to first Construction Drawing Submittal, and no later than prior to Construction Drawing Approval.
4. If build out exceeds the anticipated time frame in the approved TIA, an update of the TIA will be required prior to or with the Development Plan for the associated phase. Recommended improvements will be required to be completed prior to plat approval of that phase.
5. Thoroughfares, collectors and boulevards will require a calculated pavement design with 1st construction drawing submittal. This may result in a pavement cross section bigger than the specified minimum.
6. A Deed of Easement is required to be executed for public vehicular & public pedestrian access between the property owners at the time of plat.
7. Offsite Sewer Infrastructure Incomplete: If any off site sewer facilities are needed to serve this project and are not completed and accepted by the Town at the time of approval of this preliminary subdivision plan, then these facilities must be completed prior to construction drawing approval unless otherwise approved by the Director of Engineering. The Town is not responsible for completion of off-site sewer facilities, and will not guarantee completion of such facilities by any other party. This will become a condition of plan approval.
8. A verification letter that confirms no changes occurred to the gravity sewer network; including final sizing for lines that are stubbed upstream, will be required with first construction drawing submittal. A Final Gravity Sewer Line Sizing Report may be required with first construction drawing submittal review for all lines that are stubbed to adjacent upstream properties. Include calculations to document line sizes, adequacy of proposed sanitary sewer lines to serve all future upstream development.
9. Continue to monitor the northwest drive aisle connection, Seale Wood Trail, for additional traffic control measures during school operations. Any necessary mitigations shall be the responsibility of the developer.
10. Approval of Stormwater Management Plan is required prior to issuance of a land disturbance permit or construction drawing approval.
11. Payment of the Stormwater Fee-in-Lieu will be required prior to construction drawing approval.

12. All items listed on the Stormwater Submittal Checklist, Form #16003, must be included with the first construction drawing submittal.
13. This project will be required to meet Town's NPDES Phase II Post Construction Stormwater ordinance.
14. Stormwater sureties are required on this project. A performance surety in the form of a bond, letter of credit or cash is required in the amount of 125% estimated construction cost of the stormwater BMP prior to the preconstruction meeting and a maintenance surety in the form of a cash escrow account in the amount of 35% the actual construction cost of the SCM is required at the end of the performance monitoring period for the project.
15. All environmental permits must be obtained prior to construction drawing approval and/or issuance of a land disturbance permit for the entire project.
16. Prior to Town Council
 - a. Continue coordination with the Town related to fee-in-lieu contribution proportionate to project impact toward the Hot Spot Study identified in the CTP located at Old Holly Springs Apex Rd./Holly Springs New Hill Rd.
 - b. Continue coordination with the Town related to fee-in-lieu contribution proportionate to project impact toward the improvements at the intersection of Old Holly Springs Apex Rd./Bennett Knoll Pkwy
 - c. Finalize the remaining TIA comments

Motion by: Ernie Carpico

Second by: Courtney Patterson

Action: The Planning Board voted in favor of the Motion. (6-2)

Mr. Crandall and Mr. Deshazor both voted against the motion.

Chris state he voted against the motion for the concerns outside of the school that were stated previously.

b. Green Oaks Tech Center (21-MAS-05/PLDMP202100097)

Ms. Caines reviewed the staff report with the Board.

The Town has received a request for a Detailed Master Plan for a mixed-use project for properties generally located at the intersection of Holly Springs New Hill Road, Green Oaks Parkway, and Thomas Mill Road. The project area includes approximately 120 acres. The applicant has submitted a detailed master plan which establishes the transportation network, utility layout, lot lines, common landscaping, and tree preservation for future development of the property. The previously approved Planned Unit Development established the permitted uses and specific site and architectural design standards for the site.

Mrs. Jones provided an update on utilities and transportation.

Mr. Beard provided an update on greenways.

Mr. Mandoi asked if there is a preference to a side path or a greenway

Mr. Beard stated that it is there preference to have off street greenways.

Chair Rybak invited the applicant to speak.

Elizabeth McMillan
Crescent Communities
601 S Trion St.
Charlotte, NC

Mrs. McMillan introduced the team that would be assisting on the project. Mrs. McMillan provide a short overview of the project with benefits of the PUD. They are seeking approval of the Master Plan. Mrs. McMillan discussed the transportation updates of the project and how they would be expediting the intersection improvements.

Mr. Crandall asked if Mrs. McMillan could readdress the timing of the intersection improvements.

Mrs. McMillan stated that as they are designing the construction drawings and they would hopefully obtain approval and begin construction of the intersection later this year. Mrs. McMillan stated they are doing it as fast as they can.

Mrs. Jones stated that the TIA identified the need for this improvement by 2025 and the developer has worked with the town to speed up this improvement to before this date.

Mr. Crandall stated his concern about the traffic in the area.

Mr. Carpico asked if there was slide showing what the intersection would look like once the intersection was straightened.

Mrs. Jones showed a slide and stated that there are conceptual designs ongoing and the full conceptual plan for the intersection.

Mr. Madoni asked if it was just a realignment or if there would be an expansion involved as well.

Mrs. Jones stated that as a part of this project there are four phases with this project that would allow for expansion across the property frontage to meet the town standard street cross detail.

Mr. Madoni asked if Old Apex Rd. would be widened with this project.

Mrs. Jones stated that it would not be widened with this project but realigned.

Mr. Deshazor stated he appreciates the presentation but he does have a further motion after the motions below.

Mr. Crandall stated he would like to vote for this project but with the traffic issues he would be unable to vote for it.

Motion:

Motion that the Planning Board recommend the Town Council approve Detailed Master Plan 21-MAS-05 for Green Oaks Tech Center as submitted by the Land Design, Project Number 1020339, with the following conditions:

1. All previous conditions of approval for Green Oaks Tech Center PUD apply to this plan except for any condition that describes a fee or a fee-in-lieu to be paid shall now comply with the current amounts due pursuant to the Town's current annual budget or any unexpired development agreement.
2. This project will be required to meet Town's NPDES Phase II Post Construction Stormwater ordinance.
3. There is an existing downstream flood study in this area. It must be demonstrated that this project does not result in a rise to the downstream 100 yr. water surface elevation.
4. This Master Plan must adhere to articles in the Executed Infrastructure Reimbursement Agreement associated with the Green Oaks Tech Center PUD.

5. ALL recommendations from the TIA, and as a result of Town and NCDOT review associated with this project, must be incorporated into the plans and final design completed as part of the construction drawing review process with the associated phases.
6. The Build-out analysis in the Traffic Impact Analysis (TIA) associated with this development, included a mix of background improvements and recommended development mitigations. If the assumed background projects do not occur, it should be the developer's sole responsibility to construct all of the background improvements included in the TIA unless additional analysis can be provided to demonstrate the background mitigations are not warranted by the subject development.
7. If build out exceeds the anticipated time frame in the approved TIA, an update of the TIA will be required prior to or with the Development Plan for the associated phase. Recommended improvements will be required to be completed prior to plat approval of that phase.
8. Prior to or with the 1st Construction Drawing Submittal, the following items must be addressed
 - a. Thoroughfares, collectors and boulevards will require a calculated pavement design with 1st construction drawing submittal. This may result in a pavement cross section bigger than the specified minimum.
 - b. Provide documentation in the form of a recorded plat of any required offsite sewer easements prior to first construction drawing submittal.
 - c. If changes have been made to the gravity sewer network between Town Council Approval of this Master Plan and first Construction Drawing Submittal, a Final Gravity Sewer Line Sizing Report will be required with first construction drawing submittal for all lines that are stubbed to adjacent upstream properties. Include calculations to document line sizes, adequacy of proposed sanitary sewer lines to serve all future upstream development.
 - d. All items listed on the Stormwater Submittal Checklist, Form #16003, must be included with the first construction drawing submittal.
9. Prior to Construction Drawing Approval, the following items must be addressed:
 - a. Street Tree locations shall be shown with approved lighting fixture locations shall be positioned as to not interfere with any lighting fixtures or any site distance triangles.
 - b. All new and existing overhead power lines and services must be installed underground with this development. If the relocation of existing overhead power lines underground is deemed not feasible by the Town and/or the Utility company, a waiver of UDC Section 7.08 must be submitted with this project and a fee-in-lieu will be required prior to Construction Drawing approval.
 - c. Invoiced fees from Special Study third party review must be paid prior to first Construction Drawing Submittal, and no later than prior to Construction Drawing Approval.
 - d. Offsite Sewer Infrastructure: Since this project is dependent on completion of off site sewer facilities to serve the project, they must be completed by others and accepted by the Town *prior to the 1st construction drawing approval* related to the Master Plan, unless otherwise approved by the Executive Director of Utilities and Infrastructure. The Town is not responsible for completion of off-site sewer facilities, and will not guarantee completion of such facilities by any other party.
 - e. The Hydraulic Reclaimed Water Model Report must be finalized prior to Construction Drawing Approval.
 - f. Per the Executed Developer Agreement, the following is required:
 - a. Design and construct improvements, or pay fee-in-lieu proportionate to project impact for construction of improvements at the intersection of Old Holly Springs Apex Rd. and Bennett Knoll Parkway in the amount of \$21,000 . A fee-in-lieu payment is required to be paid with Phase 3. Construction Drawing Approval. Refer to the Executed Infrastructure Reimbursement Agreement for payment details.
 - b. Fee-in-lieu proportionate to project impact for construction of improvements along NC-55 in the amount of \$486,800. Refer to Executed Infrastructure Reimbursement Agreement for details of timing and amounts for this fee-in-lieu.
 - c. Old Holly Springs Apex Road/New Hill Road intersection:
 - i. Provide final cost estimate of the Total Realignment Costs with 1st Development Site Plan Application.
 - ii. The Developer is responsible for payment of Fee-in-lieu equivalent to 15% of the Realignment Costs with Construction Drawing Approval of the 1st phase of this

development. Refer to Executed Infrastructure Reimbursement Agreement for details of timing and amounts.

- g. Off-site right-of-way dedication will be required in the form of a recorded plat prior to receiving construction drawing approval
 - h. Approval of Stormwater Management Plan is required prior to issuance of a land disturbance permit or construction drawing approval.
 - i. Payment of the Stormwater Fee-in-Lieu will be required prior to construction drawing approval.
 - j. Stormwater sureties are required on this project. A performance surety in the form of a bond, letter of credit or cash is required in the amount of 125% estimated construction cost of the stormwater BMP prior to the preconstruction meeting and a maintenance surety in the form of a cash escrow account in the amount of 35% the actual construction cost of the SCM is required at the end of the performance monitoring period for the project.
 - k. All environmental permits must be obtained prior to construction drawing approval and/or issuance of a land disturbance permit for the entire project.
10. Prior to the submittal of any UDO Permit for Sign Installation for permanent signage, a Master Sign Plan must be submitted for review and approval if desired.
11. A new traffic signal is warranted at the intersection of Proposed Road C and Hensley Place. This development is responsible for traffic signal design and installation; including mast arm pole construction and fiber connection/extension, in accordance with Town and NCDOT standards.
12. This development is responsible to determine optimal location, design and installation of Rectangular Rapid Flashing Beacon (RRFB) pedestrian signalization, or other approved alternative, in coordination with the Town and NCDOT
13. A Deed of Easement is required to be executed for public vehicular & public pedestrian access between the property owners at the time of plat.
14. With each subsequent Development Petition (i.e. Development Plan, Subdivision Plan), the following is required:
- a. A TIA verification letter is required to be submitted to confirm the specific development is within the parameters of the TIA approved with this PUD. If the development exceeds what was previously approved, a TIA revision will be required.
 - b. A Downstream Sewer verification letter is required to be submitted to confirm the specific development is within the parameters of the study approved with this PUD. If the development exceeds what was previously approved, a Downstream sewer Evaluation revision will be required.
 - c. A Hydraulic Water Model and Fire Flow Analysis Report (FFA) is required with each development.
 - d. A Hydraulic Reclaimed Water Model Report is required for the reclaimed water main extensions and must be approved prior to Construction Drawing Submittal.
 - e. Provide completed Industrial Waste survey short form. Note that information on this form may result in additional permitting or information being required.
 - f. Provide the Grease Trap Form as required for all businesses that will be handling fats, oils, or grease (i.e. restaurants).
 - g. For any vehicular street stub that will cross a stream, provide environmental impact information including preliminary vertical alignment for a distance of 100' beyond the property line to demonstrate constructability.
 - h. Developer is responsible to continue to monitor the following intersections for additional mitigation measures with each Development Petition.
 - i. Driveway #1 on Holly Springs New Hill Rd, opposite Oakview Elementary School
 - ii. Driveway #3 on Holly Springs New Hill Rd, opposite Thales Academy – if a future traffic signal is not feasible or warranted at this location, other mitigation measures should be evaluated.
 - iii. Driveway #5 on Green Oaks Parkway, opposite Crescent Commons (Oakview Innovation) – additional improvements being added after final TIA review:
 - 1. two (2) egress lanes are required at the site drive
 - 2. A northbound, right turn lane
 - 3. A southbound left
 - iv. Green Oaks Parkway / Seqirus Driveway / Thomas Mill Road

v. Green Oaks Parkway / Premier Drive

15. Prior to Town Council, the following must be finalized:

- a. Finalize remaining minor plan revisions.
- b. the following updates shall be made to the Site Data table on the plan cover sheet:
 - i. correct PINs (parcel identification numbers)
 - ii. correct "MAXIMUM" to "MINIMUM" NUMBER OF LOTS FOR THE OVERALL SITE: 6

Motion by: Ernie Carpico

Second by: Courtney Patterson

Action: The Planning Board voted in favor of the Motion. (5-3)

Chris Deshazor, Joanna Holder, & Van Crandall voted against the project

Those voting against have major concerns about the traffic.

Motion:

Motion that Town Council considers prioritize the intersection of Holly Springs New Hill Rd. and the extension of Holly Springs and Apex Rd to help with traffic congestion and projects in this area

Motion by: Chris Deshazor

Second by: Rick Madoni

Action: The Planning Board voted in favor of the motion (8-0)

Agenda Item #10: Zone Map Change

- a. 2022 Zoning Reassignment (22-REZ-01)

Mr. Ryan reviewed the staff report with the Board.

In November 2021, the Town Council adopted the new Unified Development Ordinance (UDO) with an effective date of March 1, 2022. Following the UDO adoption, staff began working with our consultant, Erin Perdu with Stantec, to reassign all properties (nearly 11,500 properties), with the exception of Planned Unit Developments, to a new, comparable, zoning district.

Purpose of Zoning Reassignment

- The purpose of reassigning properties to a comparable district in the new UDO was to ensure that properties could continue to be used as they are currently.
- The reassignment process was not used to proactively zone properties to a new land use category (i.e. existing residential property being reassigned to a higher density residential district or non-residential district, except as outlined in phase 2 or 3 of the zoning reassignment methodology).
- Property owners wishing to be reassigned to a different district are able to submit a petition to have their property rezoned through the typical rezoning process, allowing the Town Council to review the request separately from this reassignment.

For all developed properties and farms, the current use of the property will be permitted to continue following the reassignment. For most residential subdivisions, the zoning reassignment reflects a comparable residential zoning district and will not impact the use of the property. Even if the zoning regulations change, property owners will NOT be required to make any changes to the property or the way it is being used. The zoning reassignment only impacts future construction or if the property owner decides to change the way the property is being used (for example, converting a home into a shop, or expanding a business).

At the December 14, 2021 Town Council workshop, staff outlined the process and methodology that would be used to reassign properties to a comparable district under the new UDO.

Next Steps:

1. Town Council Public Hearing

- a. The Town Council will hold a public hearing on the zoning reassignment on March 1, 2022. The public hearing has been noticed as required by NCGS 160D-602:
 - i. Notice of Public Hearing posted in News and Observer by half page ad on February 11 and February 18, 2022
 - ii. Mailed notice to impacted and adjacent property owners outside of the newspaper circulation area (Wake County).
 - iii. Posting of public hearing signs around town.
- b. Additional notifications in addition to the minimum requirements of NCGS 160D-602:
 - i. Mailed notice to all impacted owners for open house/information sessions on January 26 and 27 and notification of March 1st Public Hearing.
 - ii. Posted notice on the Town website.

Mrs. Patterson asked about those that would be upset about the properties being reassigned and if they have had it explained to them that they would have always had to come before the board for a rezoning.

Mr. Ryan stated that the Town has done there best to explain the process to those that are upset about the reassignment.

Mrs. Patterson asked if anyone had been satisfied about the response.

Mr. Ryan stated the comments were collected to be presented before the board tonight and Town Council on March 1.

Ms. Rybak reviewed the proposed Planning Consistency Statement and the Planning Board agreed with the following as being true:

Amending the Official Zoning Map is consistent with Vision Holly Springs: Town of Holly Springs Comprehensive Plan as the proposed Zoning Map implements the zoning districts of the Unified Development Ordinance (UDO) and provides the Town of Holly Springs the necessary tools, policies, and development standards to implement Vision Holly Springs. Specifically, the proposed Zoning Map implements the UDO's character based land use approaches outlined in the Land Use & Character Plan (Section 1) adopted in 2019 and provides opportunities for more mixed-use activity centers thought Holly Springs, provides context sensitive infill opportunities, and provides increased opportunities to diversify home & neighborhood choices in the community; the proposed Zoning Map establishes the zoning districts necessary to implement the goals and objectives stated in the Plan; and the proposed amendment to the Official Zoning Map is reasonable and in the public interest by maintaining existing neighborhoods, providing opportunities to expand the nonresidential tax base, generate economic activity for the community, and provide a unique and integrated development.

Motion:

Motion that the Planning Board recommend the Town Council to adopt the plan consistency statement as stated above.

Motion by: Courtney Patterson

Second by: Ernie Carpico

Action: The Planning Board voted in favor of the motion. (8-0).

Motion:

Motion that the Planning Board recommend the Town Council adopt the zoning reassignment map, rezoning #22-REZ-01 as submitted by the Town of Holly Springs.

Motion by: Ernie Carpico

Second by: Van Crandall

Action: The Planning Board voted in favor of the Motion. (8-0)

Agenda Item #11: UDO Amendment

a. UDO Amendment Planning Board/Board of Adjustment (22-UDO-01)

Mr. Ryan reviewed the staff report with the Board.

In November 2021, the Town Council adopted the new Unified Development Ordinance (UDO) and set an effective date of March 1, 2022. Included in the new UDO was a merger of the Planning Board and Board of Adjustment to consolidate quasi-judicial decision making into a single board. Following discussion at the Town Council retreat in February, the Town Council has requested that the two boards remain separate. This ordinance contains the changes necessary to allow the Planning Board and Board of Adjustment to remain separate boards. In order to maintain the Planning Board as a board that makes recommendations on legislative actions (UDO amendments, rezoning, comprehensive plan amendments, etc.) this ordinance transfers Special Use Permit decisions from the Planning Board to the Board of Adjustment. This change creates two distinct boards – a Planning Board that makes recommendations to the Town Council on legislative decisions and a Board of Adjustment that makes quasi-judicial decisions that may be appealed to Superior Court.

Mr. Carpico asked if there was a full Planning Board and if they were looking for more appointments to the Board of Adjustments.

Mr. Ryan stated that on March 1st Town Council will be reassigning the new adopted members of the Planning Board to the two different boards.

Mr. Carpico asked if and how many vacancies are on Board of Adjustments.

Mr. Ryan stated that there is one vacancy but Town Council will be ensuring both boards have full capacity from the newly appointed members from January.

Mr. Crandall asked about section 11.3.3. and asked that if Town Council could elect a developer to planning board.

Mr. Ryan stated that Town Council has always had the ability to elect someone from the development community.

Mr. Crandall wondered if there were other areas of expertise that should be considered in this text. Mr. Crandall also stated that he found in Norfolk, Virginia states that member should not be affiliated with some organizations. Mr. Crandall also showed his support for keeping the boards separate.

Ms. Rybak reviewed the proposed Planning Consistency Statement and the Planning Board agreed with the following as being true:

The proposed UDO text amendment is consistent with the Vision Holly Springs: Town of Holly Springs Comprehensive Plan as follows: The proposed Unified Development Ordinance (UDO) provides the Town of Holly Springs the necessary Boards and Committees, tools, policies, and development standards to implement Vision Holly Springs. Specifically, by providing the processes, standards and tools necessary for staff and the development community to implement the goals and objectives stated in the Plan; and that it is in the public interest to maintain a separate Board of Adjustment for quasi-judicial decisions and Planning Board for legislative recommendations and the proposed UDO text amendment provides additional opportunities for resident engagement and participation in the planning process.

Motion:

Motion that the Planning Board recommend the Town Council to adopt the plan consistency statement as stated above.

Motion by: Thomas Urquhart

Second by: Joanna Holder

Action: The Planning Board voted in favor of the motion. (7-1)

Rick Madoni voted against the motion because he is in support of the consolidation of the two boards.

Motion:

Motion that the Planning Board recommend the Town Council approve UDO Text Amendment 22-UDO-01 as submitted by the Town of Holly Springs.

Motion by: Thomas Uqurhart

Second by: Ernie Carpico

Action: The Planning Board voted in favor of the Motion. (7-1)

Rick Madoni voted against the motion because he is in support of the consolidation of the two boards.

Agenda Item #12: Other Business

- a. Technical Review Committee Representative Report (*E. Carpico/C. Deshazor*)
 - February Meeting CancelledLand Use Advisory Committee Meeting
 - March Meeting – Cancelled
 - Mr. Ryan stated that this is a new committee and provided a brief update.
- b. Town Council Official Action Overview
 - Mrs. Caines provided an update
- c. Development Services Report
 - Mr. Hills provided an update
- d. Other business:
 - Recognition of outgoing Planning Board member – Dana Rybak
 - Update on reverting to separate Planning Board and Board of Adjustment

Agenda Item #13: Adjournment

Motion:

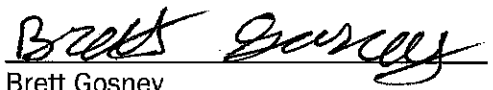
Motion to adjourn.

Motion by: Dana Rybak

Second by: Joanna Holder

Action: The Planning Board voted in favor of the Motion. (9-0)

Time: 9:23p



Brett Gosney

Planning Board Clerk